

In the
Indiana Supreme Court

D. ELIZABETH (BUFFINGTON))	Supreme Court No. 48S00-0503-SJ-129
CASTOR)	
)	
vs.)	
)	Case No. 48D03-9501-DR-68
DAVID O. BUFFINGTON)	in the Madison Superior Court

ORDER REMANDING JURISDICTION TO TRIAL COURT

Comes now the Clerk of the Madison Superior Court, and pursuant to Ind.Trial Rule 53.1, certifies this matter here for the appointment of a special judge.

And this Court, being duly advised, now finds that jurisdiction of this matter should be remanded to the Madison Superior Court and Special Judge Steven R. Nation. The praecipe filed by petitioner in this case does not meet the requirements of Ind.Trial Rule 53.1(E). The praecipe does not specifically designate the motions or decisions allegedly delayed. Further, the praecipe alleges that the court heard the matters supposedly delayed on September 26, 2001. The Chronological Case Summary does not reflect that a hearing was scheduled for or held on September 26, 2001. Therefore, the record presented establishes no basis for withdrawal of the submission.

IT IS, THEREFORE, ORDERED that jurisdiction of this matter should be remanded to the Madison Superior Court and Special Judge Nation.

The Clerk of this Court is directed to forward notice of this Order to the Hon. Steven R. Nation, Hamilton Superior Court, One Hamilton Square, #345, Noblesville, 46060-2232, and to the Clerk of the Madison Superior Court.

The Clerk of the Madison Superior Court is directed to forward notice of this Order to all parties of record in the case below.

DONE at Indianapolis, Indiana, this _____ day of April, 2005.

Acting Chief Justice of Indiana